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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,198	09/12/2003	Michael D. Crittenden	60518-156	7202

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EXAMINER	
HALL, ARTHUR O	

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3709	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/661,198	CRITTENDEN ET AL.	
	Examiner	Art Unit	
	Arthur O. Hall	3709	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-148* is/are pending in the application.

4a) Of the above claim(s) *1-38,55-107 and 124-140* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *39-54,108-123 and 141-148* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 September 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/16/2004; 2/17/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☒ Other: *IDS: 11/29/2005*.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 1/16/2004, 2/17/2005, and 11/29/2005 have been acknowledged by the examiner.

Election/Restrictions

This application contains claims directed to the following patentably distinct species: Species I, II, III, IV and V.

Species	Figures	Claims
I	5	1-22; 72-92
II	6	23-38; 93-107
III	7	39-54; 108-123
IV	8	55-70; 124-139
V	9	71, 140

The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there are no generic claims.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election of the species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the

requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

During a telephone conversation with Attorney James Yee on 6/28/2007 a provisional election was made without traverse to prosecute the invention of Species III, claims 39-54 and 108-123. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-38, 72-107, 55-71 and 124-140 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show in Figure 7, the second voucher features as described in the specification and as part of the elected Species III above. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 39 and 108 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 19, respectively, of copending Application No. 10/938,187 (US Patent Application

Publication 2005/0060231; Soukup et al.; hereinafter Soukup). Although the conflicting claims are not identical, they are not patentably distinct from each other because every element of claims 39 and 108 are found in claims 1 and 19, respectively, in the disclosure of Application No. 10/938,187.

Claims 1 and 19 of Application No. 10/938,187 disclose every limitation of claims 39 and 108, respectively, of Application No. 10/661,198 with the exceptions of substantially reciting a gaming machine for game play by a player, each voucher having a parameter, defining the parameter of a voucher as being either cashable or non-cashable, and assigning the voucher to a player account.

However, Soukup discloses that the purpose of tracking player accounts is to monitor of game play awards or points, the monetary value is a parameter representing bonus points of the voucher, the monetary value or parameter of the voucher is exchangeable for cash or wagerable credit, and the voucher is assigned to the player account in order that the user enter an amount to be redeemed from the voucher (paragraphs 0024 to 0026 and 0031, Soukup).

Hence, it would have been obvious to one having ordinary skill in the art to modify claims 1 and 19 of Application No. 10/938,187 to provide a gaming machine for game play by a player, each voucher having a parameter, defining the parameter of a voucher as being either cashable or non-cashable, and assigning the voucher to a player account in claims 39 and 108, respectively, of Application No. 10/661,198.

The following claim charts show the claim-to-claim comparison between both applications:

10/661,198	10/938,187
Claim 39: A method for crediting a player of a gaming machine with bonus points, the player having a player account stored in a computer, the computer being coupled to the gaming machine and including a database for storing vouchers, each voucher having a parameter, including the steps of:	**Claim 1**: A method for redeeming bonus points from a computerized gaming incentive system comprising the steps of:
	maintaining a player account associated with a player and
assigning a first number of bonus points to a first voucher;	a non-cashable voucher assigned to the player account wherein the non-cashable voucher includes a first number of bonus points representing a monetary value that may be wagered;
defining the parameter of the first voucher as being one of cashable and non-cashable; and,	(it would have been obvious at the time of invention define the monetary value as cashable and non-cashable since a monetary value of the voucher is exchanged for cash or wagerable credits)
	displaying to a user the non-cashable voucher including the monetary value;
assigning the first voucher to the player account.	allowing the user to enter an amount to be redeemed from the non-cashable voucher (it would have been obvious at the time of invention to assign a voucher to a player account since assignment of the voucher is required in order that the user enter an amount to be redeemed from the voucher);
	debiting a certain number of bonus points from the non-cashable voucher corresponding to the amount to be redeemed;

	producing a scrip wagerable at a table game and valued at the amount to be redeemed.

10/661,198	10/938,187
Claim 108: A system, comprising:	**Claim 19**: A gaming incentive system comprising:
a gaming machine for playing by a player;	(it would have been obvious at the time of invention to use a gaming machine in a player account tracking system since the purpose of tracking player accounts is to ensure monitoring of game play awards or points)
a computer coupled to the gaming machine for tracking a player account; and,	a computer for tracking a player account;
a database stored on the computer for storing vouchers, each voucher having a parameter, the computer for assigning a first number of bonus points to a first voucher,	a database stored on the computer for storing a plurality of vouchers wherein each voucher includes a number of bonus points representing a monetary value (it would have been obvious at the time of invention for a voucher to be associated with a parameter since a monetary value is the exchangeable contents of the voucher);
defining the parameter of the first voucher as being one of cashable and non-cashable, and	(it would have been obvious at the time of invention define the monetary value as cashable and non-cashable since a monetary value of the voucher is exchanged for cash or wagerable credits) a terminal coupled to the computer including a display for displaying to a user a list of vouchers assigned to the player account and

assigning the first voucher to the player account.	a input device for allowing the user to select a voucher to be redeemed from the plurality of vouchers displayed (it would have been obvious at the time of invention to assign a voucher to a player account since assignment of the voucher is required in order that the user enter an amount to be redeemed from the voucher).

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 39-53, 108-122 and 141-148 are rejected under 35 U.S.C. 102(e) as being anticipated by Weiss (US Patent 6,511,377). Figures are described with reference characters where necessary for clarity.

Regarding claim 108, a system (column 7, lines 8-12, Weiss) comprises:

a gaming machine for playing by a player (column 7, lines 12-14 and Fig. 2, Gn, Weiss);

a computer coupled to the gaming machine for tracking a player account (column 7, lines 14-17 and Fig. 3, 90, Weiss); and,

a database stored on the computer for storing vouchers (column 7, lines 59-67 and column 8, lines 32-38 and Fig. 1, 62, Weiss), each voucher having a parameter (column 7, lines 47-58, Weiss; the voucher is associated with a redemption value), the computer for assigning a first number of bonus points to a first voucher (column 12, line 60 to column 13, line 4, Weiss; the system awards bonus points to the player's account from which the voucher is printed), defining the parameter of the first voucher as being one of cashable and non-cashable (column 20, lines 27-31 and lines 59-62, Weiss; the voucher is redeemed for cash or a complimentary item that is non-cashable), and assigning the first voucher to the player account (column 20, lines 1-27, Weiss; a printed voucher is assigned to the player's account based on the player's PIN for access to the account in order to redeem the voucher value).

Regarding claim 39, the scope of the claim is substantially the same as claim 108 above with the only difference being that claim 108 is an apparatus claim and claim 39 is a process claim.

Regarding claim 109, the bonus points are incentive points (column 14, lines 1-8, Weiss; promotional credits are incentive credits).

Regarding claim 110, the bonus points are credits (column 14, lines 1-8, Weiss; winning credits are merely credits).

Regarding claim 111, the computer for downloading the bonus points as credits to the gaming machine (column 14, lines 9-23, column 22, lines 33-41 and Fig. 2, 110, Weiss; bonus points or credits are downloaded from the gaming machine to the account in which the account is part of the gaming machine system or redeemed from the

remote redemption apparatus or gaming machine directly).

Regarding claim 112, the gaming machine for displaying to the player a list of vouchers and allowing the player to indicate at least one voucher to download (column 14, line 24 to column 15, line 3, Weiss; a list of voucher cash and point balances as well as other information is available for download).

Regarding claim 113, the computer for converting the first number of bonus points to a first number of credits and downloading the first number of credits to the gaming machine (column 13, lines 5-38, Weiss; gaming machine credits are incremented as a result of the conversion of bonus points to credits).

Regarding claim 114, the player account having a plurality of vouchers, for displaying to the player a list of vouchers assigned to the player account and allowing the player to indicate at least one voucher to download (column 7, lines 47-58 and column 14, lines 25-67, Weiss).

Regarding claim 115, the player account having a plurality of vouchers, the gaming machine for allowing the player to identify the player to the gaming machine, displaying to the player a list of vouchers available for download, and allowing the player to indicate at least one voucher to download, the computer for converting bonus points associated with the at least one voucher to credits and downloading the credits to the gaming machine (column 7, lines 47-58, column 10, lines 5-56, column 13, lines 5-38 and column 14, lines 25-67, Weiss).

Regarding claim 116, the player is identified using at least one of a player tracking identification card and a player tracking identification number (column 10, lines 5-56, Weiss).

Regarding claim 117, the gaming machine for allowing the player to play the gaming machine, for creating a second voucher containing any remaining credits after the player stops playing the game, if the first voucher has been defined as being non-cashable and for dispensing credits to the player after the player stops playing the game, if the first voucher has been defined as being cashable (column 21, line 41 to column 22, line 41, Weiss; once game play ends, plural vouchers are incremented or credited based on a wager input as virtual credits and those credits are redeemed by the player as an award or cash).

Regarding claim 118, the first voucher having a second parameter relating to an expiration date of the first voucher (column 12, lines 19-30, Weiss).

Regarding claim 119, the gaming machine having a player tracking device, the computer for converting the first number of bonus points to a first number of credits, and downloading the first number of credits to the player tracking device (column 13, lines 5-38 and column 14, lines 1-23, Weiss).

Regarding claim 120, the gaming machine having a credit meter for tracking available credits for play of the gaming machine by the player, the computer for converting the first number of bonus points to a first number of credits, and downloading the first number of credits to the credit meter (column 13, lines 5-38 and lines 64-67, Weiss).

Regarding claim 121, the gaming machine having a credit meter for tracking available credits for play of the gaming machine by the player, the computer for designating the first voucher as one of lump-sum and pay for play and converting the first number of bonus points to credits and downloading the credits to the credit meter if the first voucher is designated as lump-sum (column 13, line 64 to column 14, line 23, Weiss; credits are downloaded when the voucher is one of four lump-sums, namely

cash, winning credits, promotional credits or account credits).

Regarding claim 122, the gaming machine having a player tracking device coupled to the computer and a credit meter for tracking available credits for play of the gaming machine by the player, the gaming machine being capable of accepting a variable wager, the variable wager having a maximum wager value, the computer for converting the first number of bonus points associated with the first voucher to a first number of credits, and downloading the first number of credits to the player tracking device, the gaming machine for allowing the player to place a wager, playing the gaming machine, decrementing the wager from the credit meter, decrementing the maximum wager from the player tracking device, and crediting the maximum wager to the credit meter (column 13, lines 5-38, column 13, line 64 to column 14, line 8, column 21, lines 5-17 and column 22, lines 15-32, Weiss; a maximum wager, which is the largest wager made by the player varying up to the total credits on the credit meter before succeeding game play, is decremented from the credit meter).

Regarding claim 145, the computer for assigning a second number of bonus points to a second voucher, defining the parameter of the second voucher as being one of cashable and non-cashable, and assigning the second voucher to the player account (column 12, lines 60-67 and column 20, lines 1-31 and lines 59-62, Weiss; plural bonus points are assigned to plural vouchers that are assigned to plural accounts).

Regarding claim 146, wherein the player account has an associated account number, wherein the player account and the vouchers are stored in a database, the computer for storing the first and second vouchers in a list of vouchers in the database and storing the account number of the player account in each of the first and second vouchers, where the list is separate from the player account in the database (column 7, lines 47-53, column 8, lines 32-38 and column 8, line 43 to column 9, line 54, Weiss; plural vouchers in a list of vouchers having each player's account ID or number stored on the database via a select player/group screen is separate from the actual player

account that is accessed from the database via the requested function screen).

Regarding claim 147, the computer for assigning a second number of bonus points to a second voucher, defining the parameter of second voucher as being one of cashable and non-cashable, and assigning the second voucher to a second player account associated with a second player (column 12, lines 60-67 and column 20, lines 1-31 and lines 59-62, Weiss; plural bonus points are assigned to plural vouchers that are assigned to plural accounts).

Regarding claim 148, wherein the player account has an associated account number and the second player account has an associated second account number, and wherein the player accounts and the vouchers are stored in a database, the computer for storing the first and second vouchers in a list of vouchers in the database, storing the account number of the player account in the first voucher, and storing the account number of the second player account in the second voucher, wherein the list is separate from the player accounts in the database (column 7, lines 47-53, column 8, lines 32-38 and column 8, line 43 to column 9, line 54, Weiss; plural vouchers in a list of vouchers having each player's account ID or number stored on the database via a select player/group screen is separate from the actual player account that is accessed from the database via the requested function screen).

Regarding claims 40-53 and 141-144, the scope of the claims is substantially the same as claims 109-122 and 145-148, respectively, above with the only differences being that claims 109-122 and 145-148 are apparatus claims and claims 40-53 and 141-144 are process claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 54 and 123 rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss in view of Walker et al. (US Patent 6,503,146; hereinafter Walker). Figures are described with reference characters where necessary for clarity.

Weiss substantially teaches features of the claimed invention as described above.

Regarding claim 123, Weiss teaches the gaming machine having a player tracking device coupled to the computer and a credit meter for tracking available credits for play of the gaming machine by the player, the gaming machine being capable of

accepting a variable wager, the computer for converting the first number of bonus points associated with the first voucher to a first number of credits, and downloading the first number of credits to the player tracking device, the gaming machine for allowing the player to place a wager, playing the gaming machine (column 13, lines 5-38, column 13, line 64 to column 14, line 8, column 21, lines 5-17, column 22, lines 15-32, Figs. 2 and 3, 82 and 88, and Figs. 4, 4A and 4B, 126 and 130, Weiss).

However, Weiss does not substantially teach decrementing and crediting a predetermined threshold wager as claimed. Therefore, attention is directed to Walker, which teaches that if a total of the player's wagers is greater or equal to a predetermined threshold, the predetermined threshold is decremented from the player tracking device, and the predetermined threshold is credited to the credit meter (column 7, lines 41-67, Walker; the threshold payout value for players on a team is the trigger for payout of bonuses when the payout is greater than or equal to the threshold payout value in which the reward or bonus is subtracted from the jackpot and credited to the winning team members balance).

Walker suggests that a device that provides player tracking of reward points earned by multiple players participating in linked play between gaming machines who have a chance to split winnings of a progressive jackpot will give the players an incentive to return to the casino for game play, thereby enhancing the player's gambling experience and improving the casino's retention of players (column 1, line 17 to column 2, line 38, Walker).

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicant's invention was made to modify Weiss in view of the teachings of Walker for the purpose of providing the gaming device of Weiss having player account and bonus points crediting features that are interchangeable with or upgradeable to the threshold crediting features of Walker in order to enhance the player's gambling experience and improve the player's loyalty to the casino.

Regarding claim 54, the scope of the claim is substantially the same as claim 123 above with the only difference being that claim 123 is an apparatus claim and claim 54 is a process claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C US-5,762,552, Vuong et al.

D US-5,770,533, Franchi

E US-5,830,067, Graves et al.

F US-5,179,517, Sarbin et al.

G US-6,012,832, Saunders et al.

H US-6,364,768 B1, Acres et al.

I US-6,852,031 B1, Rowe

J US-6,508,709 B1, Karmarkar

K US-7,033,276 B2, Walker et al.

L US-6,875,110 B1, Crumby

M US-6,685,559 B2, Luciano et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur O. Hall whose telephone number is (571) 270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jackson can be reached on (571) 272-4697. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
7/2/2007

GARY JACKSON
SUPERVISORY PATENT EXAMINER